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J1031 U.S. PTO

Docket # PF-0041-4 CON

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Express Mail" mailing label number EL 856 173 613 US. I hereby certify that this document and referenced attachments are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10, addressed to: Box Patent Application, United States Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202-3513 on November 28, 2001

By: Nancy Ramos

Printed: Nancy Ramos

JCT60 U.S. PTO
09/997522
11/28/01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.53(b)**

Box Patent Application
United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

This is a request for filing a **CONTINUATION** application under 37 CFR 1.53(b) of pending prior application Serial No. 09/643,383, filed on August 21, 2000, entitled POLYNUCLEOTIDES ENCODING THROMBIN RECEPTOR HOMOLOGS (as amended), which is a divisional application of U.S. application Ser. No. 09/217,101, filed December 21, 1998 and issued on November 7, 2000 as U.S. Patent No. 6,143,870, entitled THROMBIN RECEPTOR HOMOLOG, which is a divisional application of U.S. application Ser. No. 08/911,320, filed August 14, 1997 and issued on February 9, 1999 as U.S. Patent No. 5,869,633, entitled THROMBIN RECEPTOR HOMOLOG POLYNUCLEOTIDE, which is a divisional application of U.S. application Ser. No. 08/467,125, filed June 6, 1995 and issued on November 11, 1997 as U.S. Patent No. 5,686,597, entitled THROMBIN RECEPTOR HOMOLOG.

1. X Enclosed is a specification corresponding to the prior application, U.S. application Serial No. 09/643,383 filed August 21, 2000, which is a divisional application of U.S. application Ser. No. 09/217,101, filed December 21, 1998 and issued on November 7, 2000 as U.S. Patent No. 6,143,870, which is a divisional application of U.S. application Ser. No. 08/911,320, filed August 14, 1997 and issued on February 9, 1999 as U.S. Patent No. 5,869,633, which is a divisional application of U.S. application Ser. No. 08/467,125, filed June 6, 1995 and issued on November 11, 1997 as U.S. Patent No. 5,686,597, including the oath or declaration as originally signed. The specification does not contain any subject matter that would have been new matter in the prior application.
2. X With regard to the requirement of 37 CFR 1.821(e) which requires that a copy of the Sequence Listing in computer readable form (CRF) be submitted, Applicants state that the paper copy of

the Sequence Listing for the instant continuation application is identical with the computer readable form filed with U.S. application Serial No. 08/467,125, filed June 6, 1995, to which priority is claimed. In accordance with 37 C.F.R. §1.821(e), please use the computer readable form filed with U.S. application Serial No. 08/467,125 as the computer readable form for the instant continuation application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant continuation application.

3. X Cancel in this application original claims 2, 8, 17-27, 30-45 and 48-55 before calculating the filing fee, without prejudice or disclaimer. Applicants submit that these claims were included in the application as filed in the interest of providing notice to the public of certain specific subject matter intended to be claimed, and are being canceled at this time in the interest of reducing filing costs. Applicants expressly state that these claims are not being canceled for reasons related to patentability, and are in fact fully supported by the specification as filed. Applicants expressly reserve the right to reinstate these claims or to add other claims during prosecution of this application or a continuation or divisional application. Applicants expressly do not disclaim the subject matter of any invention disclosed herein which is not set forth in the instantly filed claims.
4. X The inventor(s) of the invention being claimed in this application is (are): Roger Coleman, Janice Au-Young, Olga Bandman, and Jeffrey J. Seilhamer.
5. X In accordance with 37 CFR 1.63(d) a copy of the originally signed declaration showing applicant's/applicants' signature(s) as filed on September 28, 1995 is enclosed.
6. Amend the specification by inserting after the title: "This application is a continuation application of U.S. application serial number 09/643,383, filed August 21, 2000, all of which applications and patents are hereby incorporated herein by reference."
7. X The filing fee is calculated below:

Claims	Number Filed	Minus	Number Extra	Other Than Small Entity		Basic Fee
				Rate	Fee	\$740.00
Total Claims	20	-20	0	x \$18		\$ 0
Indep. Claims	3	-3	0	x \$84		\$ 0
<u> </u> Multiple Dependent Claim(s), if any					+ \$280	\$ 0

TOTAL FILING FEE \$ 740.00

8. ☐ An extension of time in the above-named prior application has been requested and the fees therefore have been authorized in said application.
9. ☒ Please charge Deposit Account No. 09-0108 in the amount of \$ 740.00 .

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 09-0108.

A **duplicate** copy of this Request is enclosed.

10. ☒ New formal drawings are enclosed.
11. ☒ The prior application is assigned of record to Incyte Pharmaceuticals, Inc., recorded on October 2, 1995, at reel 7660/frame 0958.
12. ☐ A preliminary amendment is enclosed.
13. ☒ Also enclosed: Return Postcard; Submission of Formal Drawings (2 pp.); Information Disclosure Statement (2 pp.); and List of References Cited by Applicants (PTO-1449) (2 pp.).
14. ☒ The power of attorney of the prior application is to:

Lucy J. Billings	Reg. No. 36,749
Michael C. Cerrone	Reg. No. 39,132
Diana Hamlet-Cox	Reg. No. 33,302
Richard C. Ekstrom	Reg. No. 37,027
Barrie D. Greene	Reg. No. 46,740
Matthew R. Kaser	Reg. No. 44,817
Lynn E. Murry	Reg. No. 42,918
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Michelle M. Stempien	Reg. No. 41,327
David G. Streeter	Reg. No. 43,168
Stephen Todd	Reg. No. 47,139
Christopher Turner	Reg. No. 45,167
Peng Ben Wang	Reg. No. 41,420

☐ The associate power of attorney in the prior application is to:

- a. X A Revocation of Power of Attorneys and Appointment of New Attorneys (2 pp.) is attached.
- b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. X Address all future correspondence to:

INCYTE GENOMICS, INC.
PATENT DEPARTMENT
3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555, Fax: (650) 845-4166

Date: 28 November 2001

By: *Wish DC Ebert* Reg No. 37,027
for Diana Hamlet-Cox
Reg. No. 33,302
Direct Dial Telephone: (650) 845-4639

- Inventor(s)
- Assignee of complete interest
- X Attorney or agent of record
- Filed under 37 CFR 1.34(a)
- Registration number if acting under 37 CFR 1.34(a) _____.